

## Message Text

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11

ORIGIN ARA-02

INFO OCT-01 ADP-00 IO-02 /005 R

66665

DRAFTED BY: ARA: RAPOOLE

APPROVED BY: ARA: RAPOOLE

IO: UNP: JKIMBALL

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R 230128 Z MAR 73

FM SECSTATE WASHDC

TO ALL AMERICAN REPUBLIC DIPLOMATIC POSTS

XMT AMEMBASSY PANAMA

UNCLAS STATE 053663

FOLLOWING SENT ACTION SECSTATE WASHDC INFO USUN NEW YORK  
MARCH 22, 1973 FROM PANAMA IS REPEATED TO YOU: QUOTE

UNCLAS PANAMA 1604

E. O. 11652: N/ A

TAGS: PFOR PN UNSC

SUBJ: SC MEEGING TEXT OF SPEECH IN EXPLANATION OF VOTE ON  
NATURAL RESOURCES RES.

FOLLOWING IS TEXT OF SPEECH DELIVERED 21 MARCH BY  
AMBASSADOR SCALI IN EXPLANATION OF ABSTANTION VOTE ON DRAFT RES  
S/10932/ REV. 2 ( PERMANENT SOVEREIGNTY OVER  
NATURAL RESOURCES), WHICH WAS APPROVED BY SC12-0-3  
( US, FRANCE, UK):

MY DELEGATION HAS VERY CAREFULLY STUDIED THE RESOLUTION  
ON PERMANENT SOVEREIGNTY OVER NATURL RESOURCES. OUR  
DECISION TO ABSTAIN IS BASED ON THE FOLLOWING CONSIDERATIONS:

(1) WE BELIEVE THAT SOVEREIGNTY OVER NATURAL RESOURCES  
IS NOT AN APPORPRIATE SUBJECT FOR SECURITY COUNCIL ACTION  
UNDER THE CHARTER OF THE UNITED NATIONS. THE BASIC  
RESPONSIBILITY OF THE SECURITY COUNCIL IS THE MAINTENANCE  
OF INTERNATIONAL PEACE AND SECURITY. OF COURSE, WE WOULD  
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NOT CONDONE THE USE OF COERCIVE MEASURES BY ONE STATE TO SECURE ADVANTAGES FROM ANOTHER STATE IN VIOLATION OF INTERNATIONAL LAW. BUT WE DO NOT ACCEPT THE PREMISES OF THIS RESOLUTION, NAMELY THAT ANY SUCH COERCIVE MEASURES ARE BEING USED OR THAT ANY MEASURES ARE BEING USED IN A MANNER LIKELY TO ENDANGER PEACE AND SECURITY IN LATIN AMERICA.

(2) ECONOMIC MATTERS OF THIS SORT, WHERE THERE IS NO THREAT TO INTERNATIONAL PEACE AND SECURITY, ARE PROPERLY THE SUBJECT OF DISCUSSION IN OTHER UN ORGANS: ECOSOC, WHERE THE COMMITTEE ON NATURAL RESOURCES IS CURRENTLY DEALING VERY ACTIVELY WITH THE SUBJECT; THE UN GENERAL ASSEMBLY; AND THE SEABEDS COMMITTEE OF THE UNGA.

(3) THE US SUPPORTS THE CONCEPT OF PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES AS STATED IN GA RESOLUTION 1803, WHICH RECOGNIZES THAT SOVEREIGNTY OVER NATURAL RESOURCES IS TO BE EXERCISED IN ACCORDANCE WITH INTERNATIONAL LAW. THAT RESOLUTION EXPRESSLY PROVIDES THAT FOREIGN INVESTMENT AGREEMENTS SHOULD BE OBSERVED IN GOOD FAITH AND THAT APPROPRIATE COMPENSATION SHOULD BE PAID IN CASES OF NATIONALIZATION " IN ACCORDANCE WITH THE RULES IN FORCE IN THE STATE TAKING SUCH MEASURES IN THE EXERCISE OF ITS SOVEREIGNTY AND IN ACCORDANCE WITH INTERNATIONAL LAW." WE DO NOT FIND THESE POINTS CLEARLY REFLECTED IN THE UNBALANCED DRAFT BEFORE US.

(4) FURTHERMORE, THE DRAFT DOES NOT ADEQUATELY TAKE INTO ACCOUNT PROVISIONS OF THE UN AND OAS CHARTERS AND THE INTER- AMERICAN TREATY OF RECIPROCAL ASSISTANCE WHICH PROVIDE FOR COLLECTIVE MEASURES INVOLVING COERCION AND WHICH ARE VITAL TO THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY. I AM SURE MY COLLEAGUES IN THE SECURITY COUNCIL, AFTER THOUGHTFUL STUDY AND THOROUGH DISCUSSION, WOULD NOT WISH TO BE ON RECORD AS SUPPORTING A RESOLUTION THAT MIGHT BE INTERPRETED AS WEAKENING THE POTENTIAL OF THOSE IMPORTANT INTERNATIONAL DOCUMENTS.

(5) I CITE THESE RESERVATIONS TO SHOW THAT THERE ARE MANY OBJECTIONS TO THIS RESOLUTION. THE PRINCIPAL OBJECTION, HOWEVER, IN OUR VIEW IS THAT IT DEALS WITH A SUBJECT  
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THAT IS NOT WITHIN THE PROPER COMPETENCE OF THE UNITED

NATIONS SECURITY COUNCIL.  
SAYRE UNQUOTE ROGERS

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\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* UNCLASSIFIED

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